

OPINION 975

HÜBNER'S PAMPHLET *DER SCHMETTERLINGE LEPIDOPTERA LINNAEI EUROPÄISCHES HEER*, [1790-1793]: REJECTED FOR NOMENCLATORIAL PURPOSES

RULING.—(1) It is hereby Ruled that the anonymous pamphlet entitled *Der Schmetterlinge Lepidoptera Linnaei europäisches Heer*, presumed to have been printed about 1790-1793 by J. Hübner, was not published within the meaning of Articles 8 and 9 of the International Code.

(2) The pamphlet rejected for nomenclatorial purposes in (1) above, *Der Schmetterlinge Lepidoptera Linnaei europäisches Heer*, is hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature with the Title Number 82.

(3) The following names, which all appeared in print in the pamphlet rejected above, are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified:

- (a) *mysia* [Hübner, 1790-1793], in the combination *Papilio mysia* (Name No. 971);
- (b) *porrima* [Hübner, 1790-1793], in the combination *Papilio porrima* (Name No. 972);
- (c) *psyche* [Hübner, 1790-1793], in the combination *Papilio psyche* (Name No. 973);
- (d) *bryce* [Hubner, 1790-1793], in the combination *Papilio bryce* (Name No. 974);
- (e) *cleo* [Hübner, 1790-1793], in the combination *Papilio cleo* (Name No. 975);
- (f) *dorion* [Hübner, 1790-1793], in the combination *Papilio dorion* (Name No. 976);
- (g) *demophile* [Hübner, 1790-1793], in the combination *Papilio demophile* (Name No. 977);
- (h) *bryoniae* [Hübner, 1790-1793], in the combination *Papilio bryoniae* (Name No. 978);
- (i) *alchymillae* [Hübner, 1790-1793], in the combination *Papilio alchymillae* (Name No. 979);
- (j) *hibiscae* [Hübner, 1790-1793], in the combination *Papilio hibiscae* (Name No. 980).

HISTORY OF THE CASE (Z.N.(S.) 1867)

The present case was submitted to the office of the Commission by Mr. N. D. Riley and Mr. L. G. Higgins in November 1968. The application was sent to the printer on 24 January 1969 and was published on 8 August 1969 in *Bull. zool. Nomencl.* **26** : 84-90. Public Notice of the possible use of the plenary powers was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to eight entomological serials. No comment was received.

DECISION OF THE COMMISSION

On 22 March 1971 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (71)8, in part 1 either for or against the proposal that Hübner's pamphlet was published under the Code, and in part 2 (in case of an affirmative vote in part 1), either for or against the use of the plenary powers to suppress that pamphlet. At the close of the prescribed voting period on 22 June 1971 the state of the voting was as follows:

Part 1. Affirmative votes—three (3): Holthuis, Alvarado, Bonnet

Negative votes—twelve (12): Mayr, Melville, Lemche, Vokes, Tortonese, Eisenmann, Sabrosky, Jaczewski, Binder, Kraus, Brinck, Starobogatov

Part 2. Affirmative votes—seven (7): Holthuis, Mayr, Lemche, Tortonese, Simpson, Alvarado, Eisenmann

Negative votes—two (2): Melville, Bonnet

Voting Papers not returned—three (3): Forest, Munroe, Ride

Prof. Simpson did not vote in part 1 of the Voting Paper, remarking, "I do not think that this can be determined from the evidence before us".

ORIGINAL REFERENCES

The following are the original references for names placed on an Official Index by the Ruling given in the present Opinion:

alchymillae, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 15

bryce, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 9

bryoniae, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 14

cleo, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 10

demophile, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 10

dorion, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 10

hibiscae, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 15

mysia, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 4

porrima, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 6

psyche, *Papilio*, [Hübner, 1790–1793], *Lep. Linn.* : 9

CERTIFICATE

I certify that the votes cast on Voting Paper (71)8 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 975.

R. V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

20 September 1971